

**TUESDAY, MARCH 30, 1999**

**SECOND LEGISLATIVE DAY**

**FIRST EXTRAORDINARY SESSION**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Pinion.

Representative Pinion led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Jackson; personal reasons.

Representative McAfee; illness.

Representative Odom; personal reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 4:** Rep(s). Patton as prime sponsor(s).

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 31, 1999:

**House Resolution No. 3** -- Memorials, Personal Achievement - Wanda Crouch Walker, 1999 Tennessee Mother of the Year. by \*Boyer.

**House Resolution No. 4** -- Memorials, Recognition and Thanks - Andreas Becker, Exchange Student, Germany. by \*Fraleigh.

**House Resolution No. 5** -- Memorials, Recognition and Thanks - Robert Rockel of Cologne, Germany. by \*Fraleigh.

**House Resolution No. 6** -- Memorials, Recognition and Thanks - Katharina Turecek of Vienna, Austria. by \*Fraleigh.

**House Joint Resolution No. 6** -- Memorials, Personal Achievement - Allan Kerley; Rotary Club Perfect Attendance Award. by \*Sands.

**House Joint Resolution No. 7** -- Memorials, Public Service - Columbia Rotary Club, 75th anniversary. by \*Sands.

**House Joint Resolution No. 8** -- Memorials, Death - Josie Slagle. by \*Boyer.

**House Joint Resolution No. 9** -- Memorials, Personal Occasion - Ewing Barrett, 80th birthday. by \*Hood, \*Eckles, \*Bone.

**House Joint Resolution No. 10** -- Memorials, Recognition and Thanks - Mt. Zion Baptist Church. by \*Langster, \*Pruitt, \*Jones, S., \*DeBerry L., \*Hargrove, \*West, \*Arriola, \*Garrett, \*Briley, \*Naifeh.

**House Joint Resolution No. 11** -- Memorials, Sports - Jermaine Ousley, University of Memphis basketball player. by \*Hargett.

**House Joint Resolution No. 12** -- Memorials, Personal Achievement - Elise West, Shelby County Spelling Bee winner. by \*Hargett.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 3** -- Taxes, Franchise - Revises pass-through entities taxation law. Amends TCA Title 67. by \*Hargrove. (SB31 by \*Rochelle)

**\*House Bill No. 4** -- Taxes, Privilege - Repeals special privilege tax. Amends TCA Title 67, Chapter 4. by \*Hargrove. (SB32 by \*Rochelle)

**\*House Bill No. 5** -- Taxes, Franchise - Defines "pass-through entity" and "doing business in Tennessee" for franchise/excise tax purposes; provides that for purposes of apportionment, pass-through entities in which taxable entity has interest in profits or capital shall be disregarded as separate entity and tax attributes shall be attributed to each owner of such entity to extent of such owner's ownership interest. Amends TCA Title 67, by \*Hargrove. (SB30 by \*Rochelle)

**\*House Bill No. 6** -- Taxes, Exemption - Increases amount of amusement tax exemption for membership dues or fees of recreation club or community service organization from \$150 to \$175 per member per annum. Amends TCA Title 67, Chapter 6, Part 5 and Title 67, Chapter 6, Part 3. by \*Hargrove. (SB34 by \*Rochelle)

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 1** -- Taxes -- House Government Operations Committee

**\*House Bill No. 2** -- Taxes -- House Finance, Ways & Means Committee

### **CONSENT CALENDAR**

**House Resolution No. 1** -- Memorials, Recognition and Thanks - Alpha Kappa Alpha Sorority, Inc. by \*Brown, \*Langster, \*Cooper B.

**House Resolution No. 2** -- Memorials, Retirement - Aspasia Bishara. by \*Mumpower.

**House Joint Resolution No. 1** -- Memorials, Personal Achievement - Christopher Yett, Eagle Scout. by \*Montgomery.

**House Joint Resolution No. 2** -- Memorials, Personal Achievement - Steven Ratcliff, Eagle Scout. by \*Montgomery.

**House Joint Resolution No. 3** -- Memorials, Personal Achievement - Nathaniel Grizzel, Eagle Scout. by \*Montgomery.

**House Joint Resolution No. 4** -- Memorials, Death - Paul Spradlin "Trey" Keyser III. by \*Davis (Washington), \*Patton.

**Senate Joint Resolution No. 21** -- Memorials, Death - Carol Lynn Yellin. by \*Cohen.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**ENROLLED BILLS  
March 30, 1999**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 1 and 2; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
March 30, 1999**

The Speaker signed the following: House Resolution(s) No(s). 1 and 2.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS  
March 30, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 1, 2, 3, and 4.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 30, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 2 and 21; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**

**March 30, 1999**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 2 and 21.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Wednesday, March 31, 1999.